

ADVISORY COMMISSION ON SPECIAL EDUCATION

March 22, 2001
MEETING MINUTES

APPROVED 4/26/01

CALIFORNIA DEPARTMENT OF EDUCATION
721 CAPITOL MALL, ROOM 166A&B
SACRAMENTO, CA 95814

Thursday, March 22, 2001

Commission Members Present

Patty Boyle	Louis Cassani, Vice-Chair
Patricia Flores-Charter	Angela Hawkins
Shirley Kaltenborn	Julie Kennedy
Janet Mangini	Barbara Monroe
Sam Swanson	Linda Wyatt

Commission Members Absent

Loeb Aronin, Chair	Allison Brightman
Karla Geller	Richard Hayes
Lawrence Siegel	

Student Member Present

Danielle Morin

Student Member Absent

Shawn Mohamed

Legislative Members Absent

Charles Poochigian, Senate Member	Fran Pavley, Assembly Member
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Governor's Office, Deputy of Education K-12, Liaison Absent

Theresa Garcia

State Board of Education Liaison Absent

Susan Hammer	Kathryn Dronenburg
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Department of Education Staff Present

Alice Parker, Executive Secretary	Ronald S. Kadish, Director
Director, Special Education Division	State Special Schools Division
Janet Canning, Staff Liaison	Yolanda Starr, Commission Secretary

Thursday, March 22, 2001

CALL TO ORDER

Vice-Chair Lou Cassani called the meeting to order at 8:40 a.m. Roll was taken and a quorum was present.

OPERATIONS & PLANNING MEETING REPORT

The Operations and Planning meeting was held on Wednesday evening, March 21, 2001. Points of discussion were:

- Additions to March 22, 2001 agenda: Discussion of Master Plan for Education, October and November meetings.
- Deletions to agenda: March 23, 9:15 a.m. Mary Hudler's name and LCI topic; 10:30 a.m. delete Stephen Blakeman and insert Charles Ratliff.
- Mentors assigned to new Commissioners: Loeb Aronin to Patty Boyle, Janet Mangini to Sam Swanson, Lou Cassani to Richard Hayes, Shirley Kaltenborn to Patricia Flores-Charter.
- Nominating Committee for Chair and Vice-Chair: Linda Wyatt and Patricia Flores-Charter
- Recording of minutes for October and November to be done by in-house staff.
- Operations and Planning meeting site was changed to 428 J Street, 5th Floor Conference Room, Sacramento, CA 95814 effective April 2001. Meeting time remained the same, 6:00 to 8:00 p.m.
- Legislative visitation on March 22, 2001.
- Stakeholder slot on agenda postponed due to absence of Commissioners slated for this topic.
- Kerry Mazzone follow-up meeting scheduled for April 25, 2001.
- New member orientation, April 25, 2001, 3:00-5:00 p.m.
- April agenda: Thursday to be continued as legislative/finance day and Paul Hinkle to be slotted for morning presentation; Friday program - mental health services for special education, juvenile justice system, interagency agreements, discipline regarding the Individuals with Disabilities Education Act (AB 379)?.
- October and November meeting sites continued to be researched.
- Master Plan for Education to include special education.

LIAISON REPORT

Commissioner Linda Wyatt reported she attended the Partnership Committee on Special Education meeting relating to the State Improvement Grant (SIG). The California Department of Education (CDE) will draft a Transition Book and will hold meetings throughout the state for input on the book before finalizing it. It was recommended a task force be formed involving stakeholders on collaboration with other agencies. Also recommended that special education teacher training include transition.

APPROVAL OF FEBRUARY 22-23, 2001 MINUTES

Correction: Page 16, SB 377 (Polanco), replace Patty Boyle with Patricia Flores-Charter.

M/S/C

01-03-01

**MOVE THAT THE MINUTES BE APPROVED AS CORRECTED.
Monroe/Hawkins**

STUDENT MEMBER REPORT

Student Member Danielle Morin reported she was continuing her work at Disneyland and orienting Kevin Verdi in his potential role as student member of the Commission.

Kevin Verdi, stated he had been reviewing the Commission's material and provided information on juvenile justice to Commissioner Janet Mangini.

Special Education Division Report, Dr. Alice Parker, Executive Secretary, Director, reported Special Education Division staff continued their work on verification reviews and would have 55 completed by the end of May 2001. The staff is also nearing completion on the facilitated districts' effective practices plan.

The Least Restrictive Environment Task Force has been working for a year and a half and will be featured in the next issue of the Special Edge Newsletter. The Commission was invited to attend statewide training on Least Restrictive Environment that will be given in the summer 2001.

Another task force will be implemented to review performance goals and indicators for LRE in California. The goal will be a document adopted for curriculum standards for all children aligned to the same concepts.

Dr. Parker stated she would attend the Office of Special Education Programs' Leadership Conference in April and would not be at the Commission meeting. Jim Bellotti, Manager, Administrative Services Unit, SED would attend in her place. Dr. Parker stated OSEP's current major focus was on EASA reauthorization, which was secondary and elementary education reauthorization. The four major themes in federal legislation were fiscal responsibility, flexibility in spending, standards with accountability and rewards and sanctions.

In addition, Dr. Parker announced Dr. Bob Pasterneak, State Director, New Mexico was being considered as the Assistant Secretary of Education for Office of Special Education and Rehabilitation Services (OSERS).

The National Association of Directors of Special Education (NASDSE) drafted a document on state and national legislative issues regarding special education. Copies of the final document will be provided to the Commission when completed.

While in Washington, Dr. Parker met with directors of COPPA (parent advocacy organization), National Protection and Advocacy, Maryland Defense Group, and Pennsylvania Law Center. A final document will be submitted to Secretary Roderick Paige and President George Bush.

Regarding staff development, Dr. Parker stated California is being considered as a core state for the Teacher Training Retention and Recruitment National Study. Dr. Parker met with Gary Hart and Dr. Bill Wilson of CALSTATE University System Office regarding standards and assessment, teacher training in general and special education. A small group of deans and dept. chairs from CALSTATE and private institutions for training opportunities will constitute the task force. Dr. Parker suggested the Commission provide representation on the task force. Commissioners Patty Boyle and Barbara Monroe volunteered to represent the Commission.

In addition, Dr. Parker encouraged the Commission to focus on early education proposals such as the Master Plan, Universal Pre-School Issue, and Early Start (Senator Barbara Boxer).

In conclusion, Dr. Parker updated the Commission on her upcoming travel schedule:

April:

National CEC Conference, Kansas City, presentation on Data Informed Educational Evaluation Systems.

OSEP Leadership Conference, and NASDE Board meeting, Washington.

May:

Symposia at the Educational Policy Research and Reform Institute

Comments/Suggestions:

It was suggested that communication via a conference call or e-mail, regarding legislative issues the Commission supported, be made between Dr. Parker and Commissioners be done before she went to Washington in April.

State Special Schools Division Report, Dr. Ron Kadish, Director, answered questions from Commissioners regarding the Master Plan for Education. Dr. Kadish had no report.

Commissioners visited the Legislature from 10:00a.m. - 2:00 p.m. and the meeting resumed at 2:00 p.m.

Presentation: Contemporary Issues in Education, Tom Griffin, General Counsel, California Education Legal Services, spoke to the Commission on future changes in education. Mr. Griffin stated the current educational system met the needs of the teachers and not the needs of the students. In addition, Mr. Griffin suggested a system whereby students would attend school on a year-round basis and that achievement of standards, as set by the State Board of Education, would be the constant and time the variable. His rationale was that students learn at a different pace and should be given the time to reach high levels of achievement. Mr. Griffin referred to the special education model for individual instruction regarding general education instead of continuing the practice of grouping students by age. In conclusion, Mr. Griffin invited the Commission to review his document and respond to him with opinions or questions at: <http://www.tomgriffinforkids.com>. See handout.

Questions/Comments ensued.

Report: Visit to Legislature, Commissioners reported on their visit to legislators

Commissioners met with 14 legislators including their Chiefs of Staff on various issues such as class size/case load reduction, high school exit exam, tiered diplomas, Master Plan for Education, foster youth, and the “5th Avenue Academy,” federal funding, LCI issue.

Commissioners expressed their reception was very positive and legislators were very interested in the issues. Suggestions for the Commission from legislators included:

- Commission to support AB 526 (class size reduction).
- Commission to contact the State Board of Education regarding the tiered diplomas.
- Contact Assemblywoman Patricia Bates’ office regarding federal funding

Senator Lou Papan’s office expressed interest in attending the Commission’s meeting to discuss AB 379. In addition, Senator Jack O’Connell suggested he would schedule a meeting to attend Commission meeting when invited. Assembly Member Pavley was very interested in attending Commission meetings when a Monday holiday followed a meeting since she was not able to attend on Thursday or Friday due to legislative work.

Update: Legislative Bill Tracking and Recommendations

Bill-Author	Description	Commissioner	Recommend
State Assembly and Senate Bills			
AJR 1-Havice	Americans with Disabilities Act	Wyatt	Support
AB 164-Harman	Special Education: Due Process Hearings	Brightman	No Support
AB 192-Canciamilla	State Bodies: Open Meetings	Siegel	Hold
AB 303-Dickerson	Special education-Local Plan Areas	Cassani	Watch
AB 306-Frommer	Braille instruction to functionally blind pupils	Kaltenborn	Watch
AB 379-Papan	Align with IDEA amendments regarding discipline in special education and repeal Sunset Report Law	Mangini	Support
AB 508-Pavley	Schools with Academic Performance Index higher than 825 to be eliminated from reviews	Boyle	Watch
AB 615-Calderon	Special education funding: local plan areas	Cassani	Watch
AB 634-Wesson	Regarding minimum age of compulsory school attendance	Geller	Hold
AB 789-Salinas	Mental health of children in public schools	Aronin	Hold
AB 855-Dutra	State Special Schools teacher salaries	Kaltenborn	Support if amended
SB 105-Burton	Create Commission for the Blind and Visually Impaired	Hawkins	Watch
SB 113-Haynes	Prohibit physical examination of students at school without parent/guardian specific permission	Kaltenborn	Watch

Legislative Bill Tracking Continued			
Bill-Author	Description	Commissioner	Recommend
SB 318-Alarcon	Funding for learning disabled pupils	Boyle	Watch
SB 343-Figueroa	Involuntary commitments to state developmental centers for persons with developmental disabilities	Brightman	No support
SB 377-Polanco	Provision of instructional materials	Flores-Charter	Watch
SB 391-McPherson	Consulting nurse in school districts	Wyatt	Hold
SB 404-Polanco	Prisons-inmate education	Mangini	Watch
SB 505-Perata	Supervision of education programs for individuals with exceptional needs	Siegel	Hold
SB 511-Alpert	Early start resource centers for children with disabilities	Boyle/ Brightman	Watch
SB 606-Vasconcellos	Pupil health-vision testing	Kennedy	Support
U.S. Congress Legislative Assignments			
H.R. 73-Jackson-Lee	Dyslexia-kindergarten-third grade	Swanson	Hold
H.R. 214-Trancedo	Forty percent Part B full funding of IDEA	Boyle	Watch
H.R. 371-Rivers	Amendment of IDEA	Wyatt	Hold
H.R. 651-Graves	Amend IDEA to increase authority for school personnel to discipline children with disabilities	Brightman	No support
S. 466-Hagel	Mandate and fully fund the authorized 40 percent level as contained in 20 USC 1411(a)(2) by FY 2007	Swanson	Support

M/S/C 01-03-02
MOVE THAT AJR 1 RECEIVE A LETTER OF SUPPORT FROM THE
ADVISORY COMMISSION.
Wyatt/Mangini

M/S/C 01-03-03
MOTION THAT THE ADVISORY COMMISSION SUPPORT AB 379
(PAPAN).
Mangini/Wyatt

M/S/C 01-03-04
MOTION THAT THE ADVISORY COMMISSION TAKE A POSITION OF
SUPPORT, IF AMENDED, ON AB 855 (DUTRA).
Kaltenborn/Monroe

M/S/C 01-03-05

MOTION THAT THE ADVISORY COMMISSION TAKE A POSITION OF SUPPORT, OF SB 606.

Kennedy/Mangini

PUBLIC INPUT

Wayne Miyamoto, Director of Public and Governmental Affairs, California Association of Private Special Education Schools, shared that Assemblyman Lou Papan was asked to introduce a bill on the Association's behalf to address the high rate of teacher turnover in nonpublic schools. Teacher's salaries needed to be equitable with those teachers and other credentialed staff in special education in public schools. AB 992 (Papan) will accomplish this need. Mr. Miyamoto requested the Commission's support of AB 992.

Legislative Update: Paul Hinkle, California Department of Education, Special Education Division, announced the CDE would be sponsoring training on issues impacting special education in California on April 9-12, 2001, Hyatt Regency Hotel, 1209 L Street, Sacramento, 8:30 a.m.-4:00 p.m. Art Cernosia, Esq. and Dr. Perry Zirkel, Esq. would provide the training. A hotel rate of \$84.00 plus tax will be available for those staying at the Hyatt Regency. Mr. Hinkle will provide details of the training for those who are interested in attending.

In addition, Mr. Hinkle updated the Commission on various bills:

AB 615 (Calderon): This is the first major amendment to the special education funding mechanism created by AB 602 (1997) since 1998. The bill would require the Superintendent of Public Instruction to allocate funding directly to each school district of an amount equal to the difference between the statewide target amount per unit of average daily attendance for special education local plan areas for the prior fiscal year and the school district's prior year unique total special education funding level.

The following federal bills contain additional funding for the IDEA:

H.R. 214 (Tancredo)

H.R. 371 (Rivers)

H.R. 659 (Hooley)

H.R. 737 (Bass): Includes language to make funding mandatory and the IDEA would be fully funded in 2006. Bi-partisan bill.

H.R. 835 (Gary Miller): Full funding by 2011.

H.R. 976 (Vitter): Full funding by 2003.

S. 7 (Daschle): Has \$2 billion additional funding for special education in a bill to improve public education for all children and support lifelong learning.

S. 466 (Hagel): Includes language to make funding mandatory and the IDEA would be fully funded in 2007. Bi-partisan bill.

S. 496 (Santorum)

H.R. 73 (Jackson-Lee): This bill would require the U.S. Secretary of Education to conduct a study and submit a report to Congress on methods for identifying and treating children with

dyslexia in kindergarten to third grade. Mr. Hinkle referred to a document entitled, "*I Can Learn*," published by the CDE and available through the CDE Press. It contains program guidelines and teaching strategies that can be utilized with pupils for specific learning disabilities, including dyslexia and other related disorders.

Regarding Fiscal Year 2002, the House Budget Committee set the ceiling and increased special education by \$1,250,000,000. Mr. Hinkle read an excerpt from the D. C. Daily (LRP Publications) that implied full funding for special education might not be available. Three members from California serve on the House Budget Committee: Congressman Gary Miller, Congressman John Doolittle, and Congressman Mike Honda.

Mr. Hinkle suggested the Commission might want to fax or e-mail a letter to Senator Pete Dominici, Chair of the Senate Committee on the Budget in support of the funding level in S. 466 and send a letter to U. S. Secretary of Education Roderick Paige concerning funding the IDEA at the 40 percent authorized level. The funding level in S. 466 for FY 2002 is \$8,823,685,000.

M/S/C 01-03-06

**MOVE THAT THE ADVISORY COMMISSION ON SPECIAL EDUCATION
SEND OR FAX A LETTER OR E-MAIL TO THE SENATE BUDGET
COMMITTEE MEMBERS IN SUPPORT OF THE HAGEL BILL, S. 466, AS
WELL AS SECRETARY OF EDUCATION, RODERICK PAIGE.
Swanson/Monroe**

Mr. Hinkle suggested that the Commission might want to review the following bills and then take a position on them:

AB 163 (Florez): Tobacco Settlement Fund would provide additional dollars for school nurses.

AB 925 (Aroner): Pertains to employment of persons with disabilities.

AB 939 (Nation): Would add nonpublic agency services to the extraordinary cost pool.

AB 992 (Papan): A nonpublic, nonsectarian schools teacher equity bill that would provide nonpublic and nonsectarian school teachers with the same salary as those in public school districts.

AB 1539 (Pavley): Pertains to transferring records, in a timely fashion, to the next level of instruction for students.

SJR 10 (Poochigian): Memorializes the President and the Congress to provide full funding at the 40 percent authorized level for special education programs.

SB 50 (Machado): Would authorize until June 1, 2003, a person who has performed the functions of a speech-language pathology aide for a specified amount of time within the last 5 years to apply for registration as a speech-language pathology assistant.

SB 231 (Ortiz): Would require the Department of Health Services to submit to legislative committees and the federal government amendments to California's Medicaid plan that would

accomplish goals aimed at enhancing Medi-Cal services on school sites, and access by students to these services.

SB 676 (Poochigian): Would require the CDE to establish a 5-year charter schools SELPA, and to allow a consortium of at least six charter schools to develop a SELPA that would provide opportunities for financial accountability and quality innovative instruction to individuals with exceptional needs on either a regional or statewide basis.

AB 982 (O'Connell): Would implement the agreement between the Governor's Office and local educational agencies in the settlement of the 20-year old state mandated claims.

SB 1096 (Ortiz): Makes amendments to California's Early Intervention Services Act, which relates to children with disabilities from birth to three years old.

SB 1105 (Margett): Aligns California Education Code with federal law on the composition of the IEP team and the role of the regular education teacher on that team. The Commission is sponsoring this bill.

Report: Special Education Local Plan (SELPA) Legislative Committee Meeting, Maureen

Burness, Chair Elect, SELPA Administrators Group. Mrs. Burness, representing the Association of California School Administrators, gave a monthly update of SELPA and a follow-up report to the Partnership Committee on Special Education (PCSE) meeting Commissioner that Linda Wyatt attended. The PCSE meets annually to advise the CDE on the implementation of the State Improvement Grant. Regarding AB 615 (Calderon), Mrs. Burness stated a survey was being conducted by the SELPA administrator in Assemblyman's Calderon's district to get information on the impact of AB 615 on SELPAs. Mrs. Burness expressed concern regarding the Americans with Disabilities Act (ADA) formula in that the scope of the bill would not provide services to children in all districts. Regarding SB 676 (Poochigian), that would create a charter school SELPA, Mrs. Burness stated SELPAs have opposed this because of the size and scope issue and the requirement that for any SELPA to be formed, children from birth to age 22 would be required to be provided services. Other SELPA activities included fiscal bills such as the Poochigian resolution, U. S. Congressional bills S. 466 (Hagel) and H.R. 737 (Bass). Mrs. Burness updated the Commission on SELPA's last meeting. The SELPA will do a study on the full funding of IDEA issue. The next SELPA sponsored legislative meeting will be in Sacramento, Thursday, May 3, 2001, 1:30 to 3:00 p.m., 1517 L Street, and ACSA will sponsor it. An invitation will be sent to all advocacy groups and special education organizations.

Questions ensued.

ASSIGNMENT OF BILLS, COMMISSIONERS

Bill-Author	Description	Commissioner
AB 163-Florez	Tobacco Settlement Fund to provide additional dollars for school nurses	Cassani
AB 925-Aroner	Employment of persons with disabilities	Wyatt
AB 939-Nation	Would add nonpublic agency services to the extraordinary cost pool	Kennedy

Bill-Author	Description	Commissioner
AB 992-Papan	Special education: Nonpublic, Nonsectarian Schools--teacher equity bill that would provide nonpublic and nonsectarian school teachers the same salary as those in public school districts	Hawkins
AB 1061-Dickerson	Pupil Health-medication in school	Cassani
AB 1095-Wright	Child Health-eye care	Wyatt/Kennedy
AB 1096-Wright	Pupil Health-eye examinations	Wyatt/Kennedy
AB 1120-Bates	Special education and IDEA funding	Kaltenborn
AB 1191-Longville	Establish procedures for resolution of disputes on services in individualized service plans or individualized program plans	Siegel
AB 1539-Pavley	Purpose to get records, in a timely fashion, to the next level of instruction for students	Brightman
SJR 10-Poochigian	Would provide full funding for special education programs	Cassani-(to write support letter to Senator Poochigian)
SB 50-Machado	Would make technical changes to the language to help for Speech-Language Pathology Assistants to register.	Mangini
SB 231-Ortiz	Would require Department of Health Services to submit legislative committees and the federal government amendments the California's Medicaid plan that would accomplish goals that would enhance Medi-Cal services at school sites.	Hawkins
SB 606-Vasconcellos	Pupil health-eye tracking and fixation	Kennedy
SB 676-Poochigian	Would create charter special education local plan areas and require CDE to establish a five- year charter school local plan area pilot program. Would also allow a consortium of six charter schools to develop SELPAs and provide opportunities for financial accountability and quality instruction to individuals with exceptional needs.	Swanson
SB 982-O'Connell	Would implement the agreement between the Governor's Office and local educational agencies in the settlement of the 20-year old state mandated claims.	Kennedy
SB 1096-Ortiz	Makes amendments to California's Early Intervention Services Act, which relates to low incidence disability children from birth to three years old. Relates to services for persons with developmental disabilities.	Flores-Charter
SB 1105-Margett	Special education-IEP Team Composition. To implement provision for conformity of roles of general and special education teachers. The CDE and the Commission are sponsoring this bill	Monroe

As there was no further business, meeting adjourned at 5:02 p.m.

Friday, March 23, 2001

Commission Members Present

Louis Cassani, Vice-Chair
Patricia Flores-Charter
Shirley Kaltenborn
Janet Mangini
Sam Swanson

Patty Boyle
Angela Hawkins
Julie Kennedy
Barbara Monroe
Linda Wyatt

Commission Members Absent

Loeb Aronin, Chair
Karla Geller
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Allison Brightman
Richard Hayes

Student Member Present

Danielle Morin

Student Member Absent

Shawn Mohamed

Legislative Members Absent

Charles Poochigian, Senate Member

Fran Pavley, Assembly Member

Governor's Office, Deputy of Education K-12, Liaison Absent

Theresa Garcia

State Board of Education Liaison Absent

Susan Hammer

Kathryn Dronenburg

Department of Education Staff -Absent

Ronald S. Kadish, Director
State Special Schools Division

Alice Parker, Executive Secretary
Director, Special Education Division

Department of Education Staff – Present

Yolanda Starr, Commission Secretary

Janet Canning, Staff Liaison

Friday, March 23, 2001

CALL TO ORDER

Vice-Chair Lou Cassani called the meeting to order at 8:40 a.m. Roll was taken and a quorum was present.

ANNOUNCEMENTS

Commissioner Kaltenborn provided procedural information regarding support of bills. Each Commissioner assigned to a bill is responsible to write a letter of support to the bill's author. In addition, Commissioner Kaltenborn commented there were four bills the Commission had chosen to support and each would need a letter written. A sample letter will be sent to Commissioners.

Stakeholder Update: California Teachers Association, California Association of Resource Specialists and Special Education Teachers (CARS+), Parents-Teachers Association and Commissioner Julie Kennedy. Commissioner Kennedy began by referring to the stakeholder letter sent by Commissioner Allison Brightman requesting stakeholder groups to take responsibility of issues such as, general education needs, facilities, class size reduction, training teachers and support staff, and increasing salaries. The California Education Coalition was formed to focus on these issues. Commissioner Kennedy will be the contact between the Commission and the stakeholders.

Debbie Baehler, CARS+, stated the stakeholder group needed to be broadened to include other organizations such as California Speech-Language-Hearing Association (CASHA) and institutions of higher learning. Mrs. Baehler reiterated CARS+'s focus was class size reduction and would like to continue participating in visiting legislators with the Commission.

Robert Powell, Legislative Advocate, CASHA, suggested using e-mail to communicate information to stakeholders.

John Kassel, California Teachers Association (CTA), stated class size was still an issue with CTA and would take this information to his state council in Burlingame and request them to create a listserv of stakeholders. Mr. Kassel also encouraged Commissioners to use e-mail as an avenue of communication.

Karin O'Connor, California State PTA Liaison for Special Education, stated she would forward bills to her legislative advocates for review and discussion. In addition, Ms. O'Connor expressed her agreement to join the Commission in its visits to legislators and invited the Commission to attend PTA's meetings.

Commissioner Kennedy stated the Commission needed to reach out to stakeholders more. It was decided the Commission secretary would e-mail the stakeholder list to Commissioners for their information.

Discussion: Meeting with Kerry Mazzoni, California Secretary for Education,

Commissioners listed topics of discussion on April 25, 2001 with Secretary Mazzoni:

- Legislation language for tax credit to include service providers with specialist credentials
- High school exit exam
- Class size reduction/case load

- Update on mediation pilot program and bill that was passed
- Aligning IDEA amendments with the Education Code
- SB 1105, which the Commission is sponsoring
- AB 939 and increasing amount to be added to the catastrophic pool
- Ensuring that mandated claims lawsuit settlement (20 years), that the funds will be given to school districts
- Full funding for special education and federal dollars to go to school districts directly
- Master Plan for Education
- Vocational education
- Models for education be explored
- 5th Avenue Academy
- Foster children
- High school diploma

Vice-Chair Cassani requested that Lynn Lorber, Kerry Mazzoni's assistant, coordinate the date and time of the meeting and communicate to the Commission. In addition, the Commission will provide a list of topics to be discussed in advance.

Presentation: "Disproportionalities in Ethnic Enrollment in Special Education, Lalit Roy, California Department of Education. stated California is under court order to monitor to what extent students of various ethnic groups, particularly, African American and Hispanic students are identified in special education. Mr. Roy shared information on how California compared with the rest of the United States. States began collecting ethnic information in special education as of 1997-98. The National Association of State Directors of Special Education conducted a survey nationwide in the mid 1990s and found that only 10 states collected data on ethnic background of students in special education. Out of the 10, only 5 or 6 used the data. Only 1 or 2 out of the 5 or 6 used the data to make policy changes.

Mr. Roy commented on the presentation by Daniel Losen to the Commission at its February 2001 meeting. The material for the presentation was from the Office of Civil Rights (OCR) survey of a sample of schools and districts in the nation. In order to make data more reliable, this year, OCR will be conducting the same survey (ED 101, ED 102) for all school districts nationwide.

In addition, Mr. Roy pointed out Mr. Losen's presentation focused on comparing ethnic minorities against the white population and stated it would be better to compare against the entire population instead.

Using charts, Mr. Roy shared information on ways to compare disproportionality in ethnic groups. One way was to look at the disproportionality within a particular ethnic group; such as what percentage of African American students in K-12 enrollment are in special education and comparing that percentage with corresponding percentages for other ethnic groups. Another way was to see whether the ethnic distribution of students in special education is comparable with the corresponding distribution in general education. Mr. Roy used data from 1998-99 to compare

with the 1998-99 data used in Mr. Losen's presentation. The charts showed Hispanic students constituted 41.2 percent in California in general education. The white population was shown at almost 38 percent. Asian students were at 11 percent and African American students were almost 9 percent.

Mr. Roy presented a comparison of ethnic distribution of enrollment data between general education and special education in California. The white students were about 42 percent in special education compared to about 38 percent in general education. African American students were about 13 percent in special education compared to about 9 percent in general education. Hispanic and Asian students, on the other hand, were proportionately less in special education than in general education. Mr. Roy pointed out that the 1997 Amendments of IDEA and the California Special Education Funding Model under AB 602 have made some significant changes in the special education data collection process.

Mr. Roy shared data from charts on categories in disability.

Mental retardation category

- Hispanic students numbered 45 percent in special education and 41 percent in general education. However, Mr. Roy pointed out that Hispanic students were not disproportionately higher if compared with the whole program.
- African American students were also higher in special education and in mental retardation. Hispanic and African American students were over represented in the mental retardation category. The white population showed higher in special education as a whole, but not in mental retardation.

Speech and Language category

- Hispanic, African American, and Asian students were found to be not over represented in speech and language as the white population (most from other countries) was.

Emotionally disturbed category

Almost 80 percent of the students in this category were either white or African American followed by Hispanic. There was a very small number of Asian and others.

In summary of the 1998-99 study, Mr. Roy stated the gender break down in special education was 2:1 for male and female. Learning disability comprised about 56 percent of special education enrollment. Asian students were found to be under represented in most of the disability categories. In learning disability and mental retardation, there was more representation in African American and Hispanic students. In speech there was over representation in white students. In emotional disturbance African American and white students were over represented. This data was from a statewide student level data not a district level.

Mr. Roy shared preliminary special education enrollment data for 2000-01 in California. African American students were now 12.4 percent, white students were 39 percent, Hispanic students were 42 percent, and Asian students were 5.1 percent. Mr. Roy explained the trend now is to place students first in regular class and then determine if and by what percentage of time a

student is taken away from regular programs for special education services. More and more students were being placed in regular classrooms.

Mr. Roy commented he would like to return and give a more complete analysis to the Commission at a later date.

Mr. Roy's source of information for the data was derived from California Special Education Management Information System (CASEMIS). The general education data was derived from California Basic Educational Data Systems (CBEDS). This data will be on the web site at a future date.

Questions ensued.

Presentation: Update on Master Plan Development, Charles A. Ratliff, Principal Consultant, Joint Committee to Develop a Master Plan for Education, provided a historical background of the development of the Master Plan for Education and cited the Committee's vision.

The Joint Committee's Vision:

- California to develop a system that would prepare all students for the next level of study, the workforce and general society. This vision would place the emphasis on the student, not the teacher.
- Vision would be consistent with current research emphasizing that education occurs resulting from interaction between a teacher and a learner.
- Would require faculty and teachers to be concerned about peer success.
- All educational entities are to be concerned with public needs of the workforce and citizenry.
- Use and support of assessments to inform local decision making and to document accountability.
- Flexible to allow variation.

Principles associated with the vision:

- Every student entitled to be taught by fully qualified teachers.
- Responsibility for providing high quality education would be shared between elementary and secondary schools and communities involved.
- State obligated to provide adequate funding.

Mr. Ratliff referred to a publication by the Committee, entitled, *Framework to Develop a Master Plan for Education*. Nine Senators and nine Assembly Members participated in this publication. The Framework is intended to guide the continued deliberation of the Committee in providing a comprehensive organizing template for California's schools, colleges and universities. In addition, this will assure Californians opportunities to engage in a lifetime learning process. Hearings, interviews, symposia, research reviews and other public activities were used by the

Committee to develop the Framework. In addition to the Framework, seven groups were formed consisting of practicing professionals, stakeholders, teachers, and students.

Each group consisted of 30-40 people who will focus on particular themes such as:

- Issues of governance including community colleges
- Finance and facilities
- Student learning and remediation
- Professional personnel development
- Workforce preparation and business linkages
- Technology and alternative forms of instruction, planning and assessment
- School readiness

The workgroups will meet once a month to generate ideas to recommend to the Committee. Public hearings will be held throughout the year, in which legislators will focus on a particular topic. Anyone is welcome to send written testimony to the Joint Committee at their web page address: <http://www.sen.ca.gov/masterplan>.

In addition, the groups will present their recommendations by December 2001 to the Joint Committee. The first draft of the Master Plan will be done by March of April 2002 and will be circulated to the public for feedback. The final Master Plan will be adopted by late fall of 2002. The Education Code will then be revised to be consistent with the adopted final Master Plan.

Mr. Ratliff agreed to provide the Commission a copy of the material he used for his presentation. In addition, Mr. Ratliff stated he would provide a list of the work groups that were not fully formed.

Questions/Comments ensued.

AGENDA PREPARATION FOR APRIL MEETING, VICE-CHAIR AND COMMITTEE CO-CHAIRS

Friday agenda:

- Discussion to recommend having the new member orientation be included in the Friday morning agenda as part of the Program Policy since neither Paul Hinkle nor Erika Hoffman would be available on Wednesday, April 24, 2001.
- Commissioner Kaltenborn will set up a time slot regarding the high school diploma.
- Interagency contracts (including juvenile justice) with Wally Olsen, CDE.
- Video of catastrophic costs of placing a student with autism in a nonpublic school
- Video program of cerebral palsy students in Orange County and Ventura
- Invite John Vasconcellos
- Mental health services for special education
- AB 379 (Papan)-discipline
- Judge Ambler, County Judge

Thursday's agenda:

10:30 a.m. to 2:30 p.m. – revisit legislators

Meeting adjourned at 11:35 a.m., as there was not further business.